

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: DAVOL, INC./C.R. BARD, INC.,  
POLYPROPYLENE HERNIA MESH  
PRODUCTS LIABILITY LITIGATION

Case No. 2:18-md-2846

CHIEF JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson

This document relates to:  
ZBIGNIEW SZTACHELSKI

Civil Action No. \_\_\_\_\_

**SHORT FORM COMPLAINT**

Plaintiff files this Short Form Complaint pursuant to Case Management Order No. 9 and is to be bound by the rights, protections, and privileges and obligations of that Order. Plaintiff hereby incorporates the Master Complaint in MDL No. 2846 by reference. Plaintiff further shows the Court as follows:

1. The name of the person implanted with Defendants' Hernia Mesh Device:

Zbigniew Sztachelski.

2. The name of any Consortium Plaintiff (if applicable):

Margaret Sztachelski.

3. Other Plaintiff(s) and capacity (i.e. administrator, executor, guardian,)

Not applicable.

4. State of Residence:

Illinois.

5. District Court and Division in which action would have been filed absent direct filing:

Northern District of Illinois, Eastern Division.

6. Defendants (Check Defendants against whom Complaint is made):

  x   A. Davol, Inc.

  x   B. C.R. Bard, Inc.

       C. Other (please list: \_\_\_\_\_)

7. Identify which of Defendants' Hernia Mesh Device(s) were implanted:

Ventralight ST

8. Defendants' Hernia Mesh Device(s) about which Plaintiff is making a claim:

Ventralight ST

9. Date of implantation and state of implantation:

March 14, 2017 in Illinois

10. As of the date of filing this Short Form Complaint has the person implanted with Defendants' Hernia Mesh Device(s) had subsequent surgical intervention due to the Hernia Mesh Device(s):

Yes   x   No       

11. Basis of Jurisdiction:

  x   Diversity of Citizenship

       Other: \_\_\_\_\_

12. Counts in the Master Complaint adopted by Plaintiff(s):

  x   Count I – Strict Product Liability – Defective Design

  x   Count II – Strict Product Liability – Failure to Warn

  x   Count III – Strict Product Liability – Manufacturing Defect

  x   Count IV – Negligence

       Count V – Negligence Per Se

       Count VI – Gross Negligence

- ☐ Count VII – State Consumer Protection Laws
- ☒ Count VIII – Breach of Implied Warranty
- ☒ Count IX – Breach of Express Warranty
- ☒ Count X – Negligent Infliction of Emotional Distress
- ☐ Count XI – Intentional Infliction of Emotional Distress
- ☒ Count XII – Negligent Misrepresentation
- ☒ Count XIII – Fraud and Fraudulent Misrepresentation
- ☒ Count XIV – Fraudulent Concealment
- ☐ Count XV – Wrongful Death
- ☒ Count XVI – Loss of Consortium
- ☒ Count XVII – Punitive Damages
- ☐ Other Count(s) (please identify and state factual and legal bases for other claims not included in the Master Complaint below):
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- ☒ Jury Trial is Demanded as to All Counts
- ☐ Jury Trial is NOT Demanded as to All Counts; if Jury Trial is demanded as to Any Count(s), identify which ones (list below)

/s/ Christopher S. Livas  
*Attorneys for Plaintiff*

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